

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
ROBERT L. PIDGEON,

Plaintiff,

- against -

**METRO-NORTH COMMUTER
RAILROAD COMPANY,**

Defendant.
-----X

**ORDER OF
DISCONTINUANCE**

09 Civ. 8584 (SAS)

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>6/28/10</u>

SHIRA A. SCHEINDLIN, U.S.D.J.:

The parties having notified the Court that they have reached a resolution of this action, IT IS HEREBY ORDERED that the above captioned action be, and the same hereby is, discontinued with prejudice but without costs; provided, however, that within thirty (30) days of the date of this Order, counsel for either side may apply by letter for restoration of the action to the calendar of the undersigned if the settlement is not effected, in which event the action will be restored. Any pending motions are hereby terminated as moot and shall be closed by the Clerk of the Court.

SO ORDERED:


Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
June 28, 2010

- Appearances -

For Plaintiff:

Andrew C. Matteson, Esq.
Lawson & Moseley, L.L.P.
191 Peachtree Street, N.E.
Suite 4600
Atlanta, GA 30343
(404) 827-9600

For Defendant:

Jesse A. Raye, Esq.
Metro-North Railroad
347 Madison Avenue, 19th Floor
New York, NY 10017
(212) 340-2538